

Superseded 5/12/2015

53A-13-101.2 Waivers of participation.

- (1) If a parent with legal custody or other legal guardian of a student, or a secondary student, determines that the student's participation in a portion of the curriculum or in an activity would require the student to affirm or deny a religious belief or right of conscience, or engage or refrain from engaging in a practice forbidden or required in the exercise of a religious right or right of conscience, the parent, guardian, or student may request:
 - (a) a waiver of the requirement to participate; or
 - (b) a reasonable alternative that requires reasonably equivalent performance by the student of the secular objectives of the curriculum or activity in question.
- (2) The school shall promptly notify a student's parent or guardian if the student makes a request under Subsection (1).
- (3) If a request is made under Subsection (1), the school shall:
 - (a) waive the participation requirement;
 - (b) provide a reasonable alternative to the requirement; or
 - (c) notify the requesting party that participation is required.
- (4) The school shall ensure that the provisions of Subsection 53A-13-101.3(3) are met in connection with any required participation under Subsection (3)(c).
- (5) A student's academic or citizenship performance may not be penalized by school officials for the exercise of a religious right or right of conscience in accordance with the provisions of this section.